

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

MMODAL SERVICES LTD.,

Plaintiff,

v.

NUANCE COMMUNICATIONS, INC.,

Defendant.

NUANCE COMMUNICATIONS, INC.,

Counterclaim Plaintiff,

v.

MMODAL SERVICES LTD.,  
MULTIMODAL TECHNOLOGIES, LLC,  
MULTIMODAL TECHNOLOGIES, INC.,  
MMODAL IP LLC, MMODAL, INC., and  
MMODAL LLC.

Counterclaim Defendants.

CIVIL ACTION NO.

1:18-cv-00901-WMR

**JOINT NOTICE REGARDING SPECIAL MASTER**

Consistent with the Court's guidance during the Telephone Conference on May 6, 2019 (*see* Dkt. No. 127), Plaintiff and Counterclaim Defendant MModal Services Ltd. ("MModal") and Defendant and Counterclaim Plaintiff Nuance Communications, Inc. ("Nuance"), hereby provide notice to the Court of their agreement that William H. Needle<sup>1</sup> would be an acceptable special master for the above-captioned matter. The parties are amenable to the appointment of a special master (subject to the Court's approval) at this time, but agree that *Markman* proceedings should not occur until after the current stay (*see* Dkt. No. 122) is lifted. Attached as Exhibit A is Mr. Needle's current curriculum vitae. The parties have further agreed to share Mr. Needle's reasonable fees and costs equally.

The parties are available to discuss the appointment of a special master should the Court have any questions.

Dated: October 30, 2019

Respectfully Submitted,

/s/ David K. Callahan

/s/ Charles A. Pannell, III

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<sup>1</sup> <https://www.jamsadr.com/needle/>

David K. Callahan (*pro hac vice*)  
Surendra K. Ravula (*pro hac vice*)  
**LATHAM & WATKINS LLP**  
330 North Wabash Avenue, Suite 2800  
Chicago, IL 60611  
Telephone: (312) 876-7700  
Facsimile: (312) 993-9767  
david.callahan@lw.com  
surendra.ravula@lw.com

Kevin C. Wheeler (*pro hac vice*)  
Gabriel K. Bell (*pro hac vice*)  
Holly K. Victorson (*pro hac vice*)  
**LATHAM & WATKINS LLP**  
555 Eleventh Street, Suite 1000  
Washington, D.C. 20004  
Telephone: (202) 637-2200  
Facsimile: (202) 637-2201  
kevin.wheeler@lw.com  
gabriel.bell@lw.com  
[holly.victorson@lw.com](mailto:holly.victorson@lw.com)

Mitchell G. Stockwell  
Georgia Bar No. 682912  
Charles A Pannell, III  
Georgia Bar No. 141535  
**KILPATRICK TOWNSEND &  
STOCKTON LLP**  
1100 Peachtree Street, Suite 2800  
Atlanta, GA 30309  
Telephone: (404) 815-6500  
Fax: (404) 815-6555  
mstockwell@kilpatricktownsend.com  
[cpannell@kilpatricktownsend.com](mailto:cpannell@kilpatricktownsend.com)

David J. Lender (*pro hac vice*)  
Anish R. Desai (*pro hac vice*)  
Sudip Kundu (*pro hac vice*)  
**WEIL GOTSHAL & MANGES  
LLP**  
767 Fifth Avenue  
New York, NY 10153  
Telephone: (212) 310-8000  
david.lender@weil.com  
[anish.desai@weil.com](mailto:anish.desai@weil.com)

Stephen D. O'Donohue (*pro hac vice*)  
**LATHAM & WATKINS LLP**  
885 Third Avenue  
New York, NY 10022  
Telephone: (212) 906-1200  
Facsimile: (212) 751-4864  
[stephen.odonohue@lw.com](mailto:stephen.odonohue@lw.com)

Alison Haddock Hutton (GaBN 402448)  
L. Norwood Jameson (GaBN 003970)  
Alice E. Snedeker (GaBN 151066)  
**DUANE MORRIS LLP**  
1075 Peachtree Street NE, Suite 2000  
Atlanta, GA 30309-3929  
Telephone: (404) 253-6900  
Facsimile: (404) 253-6901  
[ahhutton@duanemorris.com](mailto:ahhutton@duanemorris.com)  
[wjameson@duanemorris.com](mailto:wjameson@duanemorris.com)  
[aesnedeker@duanemorris.com](mailto:aesnedeker@duanemorris.com)

Anthony J. Fitzpatrick (*pro hac vice*)  
Christopher S. Kroon (*pro hac vice*)  
Michael R. Gottfried (*pro hac vice*)  
**DUANE MORRIS LLP**  
470 Atlantic Avenue  
Boston, MA 02478  
Telephone: (857) 488-4200  
Facsimile: (857) 488-4201  
[ajfitzpatrick@duanemorris.com](mailto:ajfitzpatrick@duanemorris.com)  
[cskroon@duanemorris.com](mailto:cskroon@duanemorris.com)  
[mrgottfried@duanemorris.com](mailto:mrgottfried@duanemorris.com)

*Counsel for Plaintiff and Counterclaim  
Defendants MModal Services Ltd.,  
Multimodal Technologies, LLC,  
Multimodal Technologies, Inc., MModal  
IP LLC, MModal, Inc., and MModal  
LLC*

Doug W. McClellan (*pro hac vice*)  
Rene E. Mai (*pro hac vice*)  
Ilya Svetlov (*pro hac vice*)  
**WEIL GOTSHAL & MANGES,  
LLP**  
700 Louisiana, Suite 1700  
Houston, TX 77002-2784  
Telephone: (713) 546-5000  
[doug.mcclellan@weil.com](mailto:doug.mcclellan@weil.com)  
[rene.mai@weil.com](mailto:rene.mai@weil.com)  
[ilya.svetlov@weil.com](mailto:ilya.svetlov@weil.com)

Stephen P. Bosco (*pro hac vice*)  
**WEIL GOTSHAL & MANGES,  
LLP**  
2001 M Street, NW  
Suite 600  
Washington, DC 20036  
Telephone: (202) 682-7000  
[stephen.bosco@weil.com](mailto:stephen.bosco@weil.com)

*Counsel for Defendant and  
Counterclaim Plaintiff Nuance  
Communications, Inc.*

### **CERTIFICATE OF COMPLIANCE**

Pursuant to LR 7.1D, the undersigned counsel certify that the foregoing has been prepared in Times New Roman 14 point, one of the fonts and points approved by the Court in LR 5.1C.

/s/ Charles A. Pannell, III  
Charles A. Pannell, III

### **CERTIFICATE OF SERVICE**

I hereby certify that on October 30, 2019, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system, which will automatically send email notification of such filing to all counsel of record.

/s/ Charles A. Pannell, III  
Charles A. Pannell, III